

Progress Report: The Foster Care Ombudsman Program

Pamela M. Woodman-Kaehler
Foster Care Ombudsman
WV Child Welfare Collaborative
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Takeaways Regarding the Foster Care Ombudsman (FCO)

- **Purpose:** What is an ombudsman?
- **People:** What is the status of organizational design and staffing?
- **Process:** What is the status of processes, tools, and systems?
- **Presentation:** How does the ombudsman connect with others?
- **Performance:** Does the ombudsman collect data?

Duties of the FCO

- Advocates for the rights of foster children and foster parents and provides certain assistance to them
 - Advocates for fair, equitable, lawful and just practices
- Investigates and resolves complaints filed on behalf of a foster child or foster parent, relating to agency actions, inactions, or decisions
 - “Agencies” include managed care providers, public agencies, social service agencies, child placing agencies, and residential care facilities
- Monitors and reviews federal, state, and local legislation, regulations, policies, and procedures relating to the system of providing foster care and treatment; makes recommendations for improvement

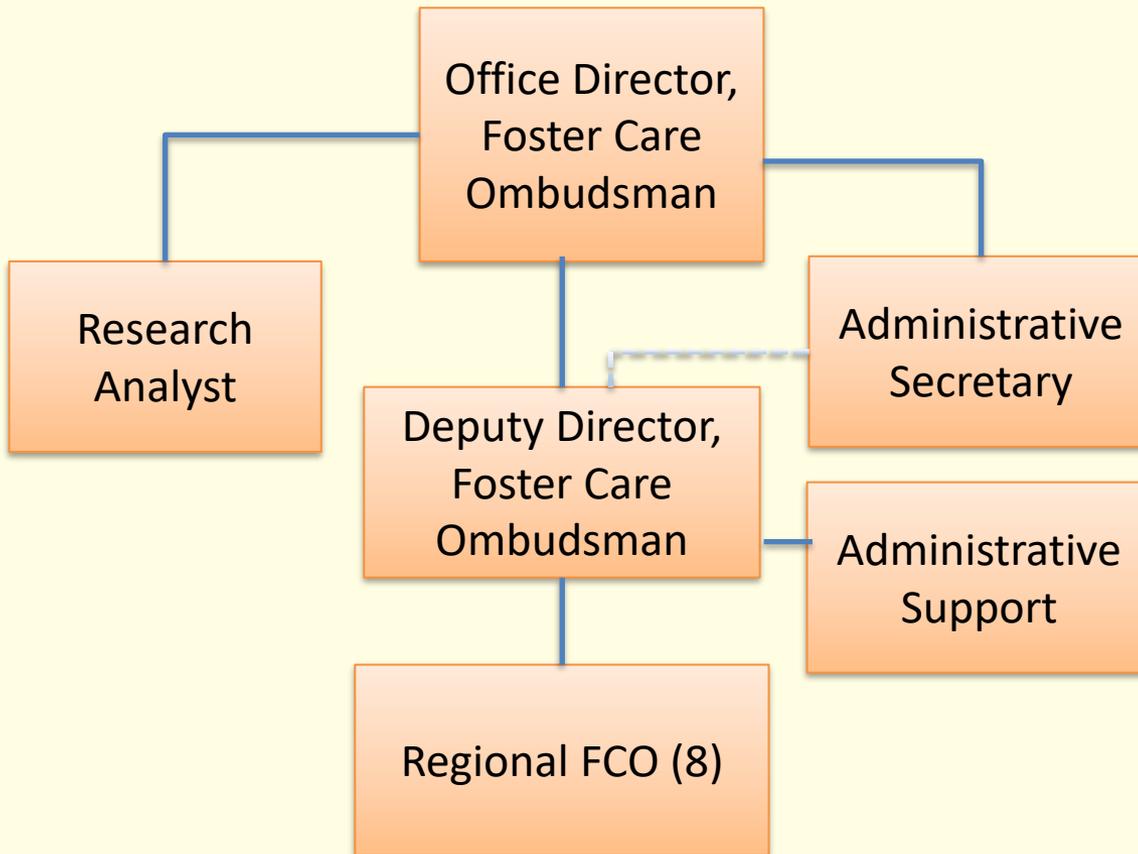
Duties of the FCO

- Undertakes legislative advocacy and makes proposals for systemic reform
- Conducts programs of public education regarding the availability and services of the FCO
- Prepares and submits periodic reports to the Governor, Legislative commissions, and DHHR's Bureau for Children and Families
- Investigates violations of the Foster Children's Bill of Rights (W. Va. Code § 49-2-126) and Foster Parents' and Kinship Bill of Rights (W. Va. Code § 49-2-127)

Essential Characteristics and Best Practices

Essential Characteristics	Best Practices
Independence	The ombudsman's role should be independent in its structure, function, and appearance, free from outside influence, and protected from retaliation from any person who may be the subject of a complaint or inquiry.
Impartiality	The ombudsman should receive and review complaints in a fair and objective manner, free from bias, unaligned, and have no personal interest or stake in the outcome of an issue. Impartiality does not mean an ombudsman cannot advocate for policy change as appropriate.
Confidentiality	The ombudsman should keep confidential the identity of the complainant and the content of any information provided, unless written permission of the complainant is granted in advance. The only exception is the risk of imminent harm.
Credibility	The ombudsman should perform in a competent, informed, and credible manner that engenders respect. The choice of approach to an inquiry or complaint should remain with the ombudsman.

Staff



Key Points:

- Several key positions approved and posted as of July 1, 2020
- Administrative Secretary hired
- Regional FCO will be out-stationed employees
 - Child welfare or foster care experience required; goal of assembling professionally diverse team

Process Supports

- Investigatory case management software system selection, in process
- Field labels, anticipated picklists, and standard workflows prepared for future software configuration
- Resource lists, ombudsman toolkits, contact directories, procedures are in development
- Job-specific training plan for new staff are in development
- Basic form templates and process flows are in development

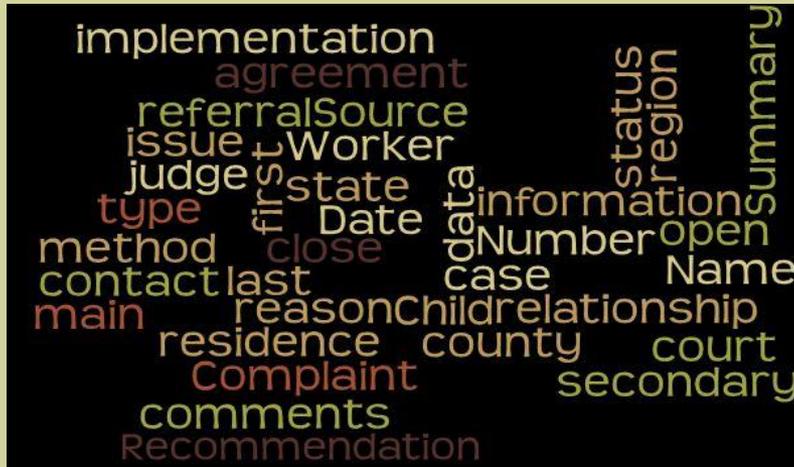
Information and education priorities:

- Relationships are key to the success and effectiveness of an ombudsman
- Presently toggle visibility with availability
- Managing expectations is a start-up priority
- Website, social media, brochures and FAQs in development

Stakeholders include advocacy groups, attorney/court groups, health care providers, foster and residential care agencies, foster/kinship/adoptive parents, insurers, schools, socially necessary and community agencies, Court Appointed Special Advocates (CASA), elected officials, state agencies, law enforcement, youth, and more.



Performance



**WHAT
ABOUT
DATA?**



Performance

Data collected about *COMPLAINTS* includes:

Case Number
Open Date
Close Date
Method of Contact to FCO
Initial FCO Contact Date
FC or RC Agency?
Complainant Name
Case County
Complainant County
Contact Information
BCF Case Type
Relationship to Child
FCO Case Type
Court?
Judge
GAL

Main Complaint
State Worker(s)
Referral Source to FCO
Complaint Comments/Summary
Observations by FCO
Recommendations to DHHR/Agency
Level of DHHR Agreement to Recommendation
Recommendations to Complainant
DHHR Implementation of Recommendation
Child's Residence
Case Closed Level of Merit
Judge
Status of FCO Action
Main Complaint
Secondary Complaint

Complainant feedback regarding FCO service is collected, too.

Performance

*Data collected about **ACTIVITIES** includes:*

Activity Date
Activity Type
Education/Unit Development
Education/FCO Program
Education/General
Intervention – Problem Solving
Investigation - Systemic
Issue Advocacy/General
Presentation
Policy/Law/Rule Review
Other, Describe
Target Audience
Advocacy Organization
Legal/Judicial/CIP
Behavioral Health
Physical Health/Primary Care
Child Placing Agency
Residential Treatment Facility
DHHR
Foster/Kinship/Adoptive Parents
Legislature, State
Legislature, Federal
Managed Care Organization/Insurer
School System/Education
SNS Provider
Children/Youth
Stakeholders General
Other, Describe

Select Statistics: January – June 2020

108 Complaints

Complainant Relationship to Child	
Foster Parent	42.5%
Grandparent	16.6%
Other	10.1%
Other Relative	9.3%
Parent*	8.3%
Professional/Provider	4.6%
State Employee	2.8%
Unknown	1.9%
Attorney/GAL	1.9%
Child	1.0%
Legal Guardian	1.0%

* Inc. Bio and Adoptive

Referral Source to the FCO	
State Employee	26.8%
Social Media	13.8%
Media	12.0%
Prior Contact FCO	8.3%
Internet	8.4%
Attorney	7.4%
Other	5.5%
Professional/Provider	4.6%
Conference/Training	3.7%
Elected Official	2.7%
Teacher/School	1.9%
Email Blast	1.9%
CASA	1.0%
Initiated by FCO	1.0%
Unknown	1.0%

Select Statistics: January – June 2020

108 Complaints

Cases by FCO Case Type	
Assistance	60.2%
Information/Referral	21.2%
Investigation	18.6%

Disposition	
Valid - Resolved	29.6%
Information Exchange Only	23.2%
Not Valid	19.4%
Lack of Information	12.0%
Case Still Open	12.0%
Valid - Not Resolved	2.8%
Withdrawn	1.0%

Main Complaint*	
Action/Inaction of Agency/Employee	37.9%
Decision of Agency/Employee	12.9%
Removal of Children	12.9%
Financial Issues/Reimbursement	12.0%
Lack of Communication	7.4%
Policy/Regulation Issue	7.4%
Rude/Unfair Treatment	4.6%
Other/Unclear	1.9%
Placement of Children	1.0%
Threat/Retaliatory Treatment	1.0%
Blank	1.0%

* FCO Tracks Secondary and Tertiary Complaints.

The FCO collects additional data on contacts/activities with stakeholders, including activity date, purpose, content, and target audience.

Contact

Pamela M. Woodman-Kaehler

Foster Care Ombudsman

West Virginia Department of Health and Human Resources

Office of Inspector General

State Capitol Complex

Building 6, Room 817

Charleston, WV 25305

Phone: (304) 558-1117

Fax: (304) 558-1992

Email: Pamela.M.Woodmankaehler@wv.gov

Email: Fostercareombudsman@wv.gov

Website: <http://www.wvdhhr.org/oig/fco.html>